

**Amendment No. 1 to HB0713**

**Briley**  
**Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 192\***

**House Bill No. 713**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 440-35-303, is amended by deleting the second sentence of subsection (a) and substituting instead the following:

However, no defendant shall be eligible for probation under the provisions of this chapter, if convicted of a violation of § 39-13-304, § 39-13-402, § 39-13-504, § 39-13-532, § 39-15-402, § 39-17-417(b) or (i), § 39-17-1003, § 39-17-1004 or § 39-17-1005.

SECTION 2. Tennessee Code Annotated, Section 40-35-313, is amended by deleting subsection (a)(1)(B)(ii) and substituting instead the following:

(ii) As used in subdivision (a)(1)(B)(i), “sexual offense” means conduct that constitutes:

- (a) Aggravated prostitution, as described in § 39-13-516;
- (b) Aggravated rape, as described in § 39-13-502;
- (c) Aggravated sexual battery, as described in § 39-13-504;
- (d) Aggravated sexual exploitation of a minor, as described in § 39-17-1004;
- (e) Attempt, as described in § 39-12-101, solicitation, as described in § 39-12-102, or conspiracy, as described in § 39-12-103, to commit any of the offenses enumerated in this subdivision (a)(1)(B)(ii).
- (f) Especially aggravated sexual exploitation of a minor, as described in § 39-17-1005;
- (g) Rape, as described in § 39-13-503;
- (h) Rape of a child, as described in § 39-13-522;

- (i) Sexual battery by an authority figure, as described in § 39-13-527;
- (j) Sexual exploitation of a minor, as described in § 39-17-1003;
- or
- (k) Statutory rape by an authority figure, as described in § 39-13-532.

SECTION 3. Tennessee Code Annotated, Section 40-35-501, is amended by deleting subsection (i)(2) and substituting instead the following:

(2) The offenses to which the provisions of subdivision (i)(1) apply are:

- (A) Murder in the first degree;
- (B) Murder in the second degree;
- (C) Especially aggravated kidnapping;
- (D) Aggravated kidnapping;
- (E) Especially aggravated robbery;
- (F) Aggravated rape;
- (G) Rape;
- (H) Aggravated sexual battery;
- (I) Rape of a child;
- (J) Aggravated arson;
- (K) Aggravated child abuse;
- (L) Aggravated rape of a child;
- (M) Sexual exploitation of a minor involving more than one hundred (100) images;
- (N) Aggravated sexual exploitation of a minor involving more than twenty-five (25) images; or
- (O) Especially Aggravated Sexual Exploitation of a minor.